

MESSAGE
OF THE
PRESIDENT OF THE UNITED STATES,
COMMUNICATING,

In compliance with a resolution of the Senate of the 11th instant, information on the subject of a decree of the so-called Emperor of Mexico of the 3d of October last.

DECEMBER 21, 1865.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate of the United States:

In answer to the resolution of the Senate of the 11th instant, requesting information on the subject of a decree of the so-called Emperor of Mexico of the 3d of October last, I transmit a report from the Secretary of State, and the documents by which it was accompanied.

ANDREW JOHNSON.

WASHINGTON, *December 13, 1865.*

DEPARTMENT OF STATE,
Washington, December 13, 1865.

The Secretary of State, to whom was referred the resolution of the Senate of the 11th instant, requesting the President "to communicate to the Senate, if not inconsistent with the public interest, any correspondence or other information in the possession of the government in regard to a barbarous decree issued by the so-called Emperor of Mexico under the date of October 3, 1865, ordering all Mexicans who bravely defend the sacred cause of their independence, either in the battle-field or otherwise, to be shot without any form of trial," and to inform that body "what representations, if any, have been made by this government on that subject," has the honor to lay before the President a copy of all the correspondence on file in this department upon the subject of the instrument indicated in the said resolution, which correspondence contains all of the information concerning the matter in the possession of this government.

Respectfully submitted:

WILLIAM H. SEWARD.

The PRESIDENT.

List of accompanying papers.

Mr. Otterbourg to Mr. Seward, October 19, 1865, with two accompaniments, namely, a proclamation of October 2, 1865, and decree of October 3, 1865, by the so-called Emperor of Mexico.

Mr. Romero to Mr. Seward, October 25, 1865, with ten accompaniments.

Mr. Corwin to Mr. Seward, October 28, 1865.

Mr. Romero to Mr. Seward, November 20, 1865, with an accompaniment.

Mr. Seward to Mr. Bigelow, November 3, 1865.

Mr. Seward to Mr. Bigelow, November 28, 1865.

Mr. Bigelow to Mr. Seward, November 30, 1865.

Mr. Seward to Mr. Romero, December 10, 1865.

Mr. Otterbourg to Mr. Seward.

No. 20.]

UNITED STATES CONSULATE,

Mexico, October 19, 1865.

SIR: Enclosed I have the honor to transmit the translation of a proclamation and decree, which may be read with interest at the department.

I have the honor to be, sir, most respectfully, your obedient servant,

MARCUS OTTERBOURG,

United States Consul.

HON. WM. H. SEWARD,

Secretary of State of U. S. of America, Washington.

[Enclosure No. 1.]

Proclamation of his Majesty the Emperor.

MEXICANS: The cause which Don Benito Juarez defended with so much valor and constancy has already succumbed under the force, not only of the national will, but also of the very law which that officer invoked in support of his pretensions. To-day even the faction into which the said cause degenerated is abandoned by the departure of its chief from the native soil.

The national government for a long time was lenient and exercised great clemency, in order to give the chance to misled and misinformed men to rally to the majority of the nation and to place themselves anew in the path of duty. It has fulfilled its object; the honorable men have assembled under its banner, and have accepted the just and liberal principles which regulate its politics. The disorder is only maintained by some leaders carried away by unpatriotic passions, and assisted by demoralized persons who cannot reach to the level of political principles, and by an unprincipled soldiery, the last and sad remnants of the civil wars.

Hereafter the contest will only be between the honorable men of the nation and the gangs of criminals and robbers. Clemency will cease now, for it would only profit the mob who burn villages, rob and murder peaceful citizens, poor old men and defenceless women.

The government, resting on its power, from this day will be inflexible in its punishments, since the laws of civilization, the rights of humanity, and the exigencies of morality demand it.

MAXIMILIAN.

MEXICO, October 2, 1865.

MAXIMILIAN, EMPEROR OF MEXICO.

Having heard our council of ministers and our council of state, we decree :

ARTICLE 1. All persons belonging to armed bands or corps, not legally authorized, whether they proclaim or not any political principles, and whatever be the number of those who compose the said bands, their organization, character, and denomination, shall be tried militarily by the courts-martial ; and if found guilty even of the only fact of belonging to the band, they shall be condemned to capital punishment, within the twenty-four hours following the sentence.

ARTICLE 2. Those who, belonging to the bands mentioned in the previous article, will be captured with arms in their hands, shall be tried by the officer of the force which has captured them, and he shall, within a delay never extending over twenty-four hours after the said capture, make a verbal inquest of the offence, hearing the defence of the prisoner. Of this inquest he will draw an act, closing with the sentence, which must be to capital punishment, if the accused is found guilty, even if only of the fact of belonging to the band. The officer shall have the sentence executed within the twenty-four hours aforesaid, seeing that the criminal receive spiritual assistance. The sentence having been executed, the officer shall forward the act of inquest to the minister of war.

ARTICLE 3. From the penalty established in the preceding articles shall only be exempted those who, having done nothing more than being with the band, will prove that they were made to join it by force, or did not belong to it, but were found accidentally in it.

ARTICLE 4. If, from the inquest mentioned in article 2 facts are elicited which induce the officer holding it to believe that the prisoner was made to join the band by force, without having committed any other crime, or that he was found accidentally in it, without belonging to it, the said officer shall abstain from passing sentence, and he shall send the accused, with the respective act of inquest, to the proper court-martial, in order that the trial be proceeded with by the latter, in conformity with article 1.

ARTICLE 5. Shall be tried and sentenced conformably with article 1 of this law : 1st. All those who will voluntarily assist the *guerrilleros* with money, or any other means whatever. 2d. Those who will give them advice, information, or counsels. 3d. Those who voluntarily, and knowing that they are *guerrilleros*, will put within their reach, or sell them, arms, horses, ammunition, subsistence, or any articles of war whatever.

ARTICLE 6. Shall also be tried conformably with the said article 1st : 1. Those who will hold with the *guerrilleros* such relations as infer connivance with them. 2. Those who voluntarily and knowingly will conceal them in their houses or estates. 3. Those who, by words or writing, will spread false or alarming reports, by which public order may be disturbed, or will make against it any kind of demonstration whatever. 4. All owners or administrators of rural estates who will not give prompt notice to the nearest authority of the passage of some band through the same estates. Those included in paragraphs 1st and 2d of this article shall be punished by imprisonment from six months to two years, or by hard labor from one to three years, according to the gravity of the case. Those who, being included in paragraph 2d, were the ascendants, descendants, spouses or brothers of the party concealed by them, shall not suffer the penalty aforesaid ; but they shall remain subject to the vigilance of the authorities during the time the court-martial will fix. Those included in paragraph 3d of this article shall be punished by a fine of from \$25 to \$1,000, or by imprisonment from one month to one year, according to the gravity of the offence. Those included in paragraph 4th of this article shall be punished by a fine of from \$200 to \$2,000.

ARTICLE 7. The local authorities of the villages who will not give notice to their immediate superiors of the passage through their villages of armed men will be ministerially punished by the said superiors by a fine of from \$200 to \$2,000, or by seclusion from three months to two years.

ARTICLE 8. Whatever resident of a village who, having information of the proximity or passage of armed men by the village, will not give notice of it to the authorities shall suffer a fine of from \$5 to \$500.

ARTICLE 9. All residents of a village threatened by some gang, who are between the ages of eighteen and fifty-five years and have no physical disability, are obliged to present themselves for the common defence as soon as called, and for failing to do so they shall be punished by a fine of from \$5 to \$200, or by imprisonment of fifteen days to four months. If the authorities think it more proper to punish the village for not having defended itself, they may impose upon it a fine of from \$200 to \$2,000, and the said fine shall be paid by all those together, who, being in the category prescribed by this article, did not present themselves for the common defence.

ARTICLE 10. All owners or administrators of rural estates who, being able to defend themselves, will not prevent the entrance in the said estates of *guerrilleros* or other malefactors; or, after these have entered, will not give immediate information of it to the nearest military authority; or will receive on the estates the tired or wounded horses of the gangs, without notifying the said authority of the fact, shall be punished for it by a fine of from \$100 to \$2,000, according to the importance of the case; and if it is of great gravity they shall be put in prison and sent to the court-martial, to be tried by the latter, conformably with the law. The fine shall be paid to the principal administration of rents, to which the estate belongs. The provision of the first part of this article is applicable to the populations.

ARTICLE 11. Whatever authorities, whether political, military, or municipal, shall abstain from proceeding, in conformity with the provisions of this law, against parties suspected or known to have committed the offences provided for in said law, will be ministerially punished by a fine of from \$50 to \$1,000; and if it appear that the fault was of such nature as to import complicity with the criminals, the said authorities will be submitted, by order of the government, to the court-martial, to be tried by the latter and punished according to the gravity of the offence.

ARTICLE 12. Thieves shall be tried and sentenced in conformity with article 1st of this law, whatever may be the nature and circumstance of the theft.

ARTICLE 13. The sentence of death pronounced for offences provided for by this law shall be executed within the delays prescribed in it; and it is prohibited that any demands for pardon be gone through. If the sentence is not of death and the criminal is a foreigner, even after its execution, the government may use towards him the faculty it has to expel from the territory of the nation all obnoxious strangers.

ARTICLE 14. Amnesty is granted to all those who may have belonged and may still belong to armed bands if they present themselves to the authorities before the 15th of November next: provided they have not committed any other offences subsequently to the date of the present law. The authorities will receive the arms of those who will present themselves to accept the amnesty.

ARTICLE 15. The government reserves the faculty to declare when the provisions of this law will cease.

Each one of our ministers is charged with the execution of this law in the part which concerns him, and will give the necessary orders for its strict observance.

Given at the palace of Mexico on the 3d of October, 1865.

MAXIMILIAN.

The minister of foreign affairs, charged with the ministry of state,
JOSÉ F. RAMIREZ.

The minister of war,
JUAN DE DIOS PEZA.

The minister of improvement,
LUIS ROBLES PEZUELA.

The minister of the interior,
JOSÉ MARIA ESTEVA.

The minister of justice,
PEDRO ESCUDERO Y ECHANOVA.

The minister of public instruction and religious worship,
MANUEL SILICEO.

The sub-secretary of the treasury,
FRANCISCO DE P. CESAR.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, October 25, 1865.

MR. SECRETARY: Continuing my transmission to your department of the principal documents that can give the United States government an idea of the principal events now taking place in Mexico, I now have the honor of sending to you those mentioned in the enclosed index, some of which were brought by the last steamer from Vera Cruz, and others, although of older date, I think important.

As most significant, I must call your attention to the usurper's proclamation, dated in the city of Mexico, the 2d instant, and to his so-called decree of the 3d of the same month. In the first, the ex-archduke supposes, contrary to the fact, that the constitutional President of the Mexican republic had abandoned the national territory, and from this false hypothesis he concludes that the defenders of independence, whom he calls bandits, in obedience to orders received from the French, have no leader. It is nothing new for the usurper to call those patriots, who sustain the cause of independence and the institutions of Mexico, bandits; nor is it new for him to treat them as such, with a severity that would be called excessive if applied to criminals of the lowest order. He showed the same determination in his proclamation of the 3d of November last, of which I sent you a copy. Now Maximilian wishes to regulate this established system of assassination by a decree, issued on the 3d instant, creating most informal military tribunals, extending their jurisdiction to every person in the country found armed without license from his so-called government, regardless to the numbers and character of the party he belongs to. In this decree, excessively tyrannical, he condemns to death every armed man who is not a French soldier, or a traitor; and even those who will proffer information which may aid the defenders of their country; and sanctions severe penalties for the mere act of concealing a patriot or circulating alarming news; and it has been carried out by his French directors, who have been, by the system of courts-martial, sending to the scaffold the captive patriots called *guerrilleros*, and even military officers of the national army, who could not be called so.

This extraordinary severity is in open contradiction to the studied mild promises made in his first proclamation, on landing at Vera Cruz, which I also send to you, dated the 23d of May, 1864.

If the Mexican patriots have been waging a legitimate war during the existence of the national government on Mexican territory, in the usurper's opinion, what must be thought of his conduct in lending himself as a blind instrument in this war, and in declaring, when there is no change of circumstances, that those fighting in a legitimate war are bandits, and must be assassinated?

Under No. 10 I send a copy of the usurper's address delivered the end of last month, on the occasion of the erection of a statue to Morelos, in Guardiola square, city of Mexico. All the eulogies he makes upon that distinguished leader in the first war of independence are now literally applicable to the citizens defending the independence of their country in this second war of the same kind, and equally as just and sacred as the first. With unexampled inconsistency the usurper now declares those patriots bandits, and orders them to be assassinated within a certain time by means of courts-martial.

I also enclose two protests, made at Tacambaro on the 10th and 24th of May last, and signed by several French officers, prisoners of a republican force. In them you will perceive the generous and philanthropic conduct of the Mexican troops towards their prisoners, contrasting strangely with the decrees and barbarous conduct of their enemies.

I also enclose a general order from the army of the centre, showing the most recent organization of the national forces in that part of the territory of the republic.

In conclusion, you will see among these documents two acts: one passed by the town and county of Longolica, in the State of Vera Cruz, and the other by the town and county of Juchitan, in the State of Oaxaca, in which the inhabitants declare their hostile sentiments towards the so-called empire, which takes place whenever the force of French bayonets is removed.

I take advantage of this occasion to renew the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

A list of the documents sent by the Mexican legation, in Washington, to the Department of State of the United States, with his note of the 25th of October, 1865, on events recently taken place in Mexico.

No. 1. July 26, 1865. Act passed in the town of Songolica, State of Vera Cruz, protesting against intervention and the empire, and offering obedience to the president of the republic.

No. 2. July 27, 1865. Act passed in Juchitan, State of Oaxaca, protesting against the establishment of an empire in Mexico by the French army, and acknowledging the republic.

No. 3. Order from General-in-chief of the army of the centre, regulating the first division of the army of the centre, operating in the State of Michoacan.

No. 4. April 11, 1865. Protest of an officer and several soldiers of the foreign legion, expressing their determination to remain as prisoners of war in Tacambaro, and not fight against the republic.

No. 5. May 24, 1865. Various French prisoners of war protest to remain in prison at Tacambaro until exchanged according to the laws of nations.

No. 6. May 28, 1865. Proclamation by the usurper to the Mexicans, published in Vera Cruz, on landing at that port.

No. 7. November 3, 1864. The usurper to Valasquez de León, declares that the people are in his favor, and his adversaries must be persecuted and punished as bandits.

No. 8. October 2, 1865. The usurper to the Mexicans. Proclamation asserting that President Juarez had quit the territory of Mexico, and all defenders of the republic were outlaws.

No. 9. October 3, 1865. The usurper to the Mexicans. Decree ordering prisoners of war to be executed within twenty-four hours, and those who aid the republicans or do not inform on them, &c., and imposing severe penalties on citizens who do not or cannot resist them.

No. 10. September, 1865. The address of the usurper on the erection of the statue of Morelos, in Guardiola square, city of Mexico.

IGNO. MARISCAL.

WASHINGTON, *October 25, 1865.*

[Enclosure No. 1.—Translation.]

In the town of Songolica, chief town of the canton of the same name, in the State of Vera Cruz, on the twenty-sixth of July, one thousand eight hundred and sixty-five, in the room of the town hall, assembled the persons whose names are signed, to this act, and presided over by Leandro Almador, who stated the object of the meeting.

Whereas the proposition of foreign intervention was accepted by some of the towns of the republic of Mexico in consideration of offers made to sustain the government legally established in the country, and this promise has not been kept, nor can it be, for the intervenors with their partisans, deceiving and imposing upon the people, have pretended to establish a monarchical government that can never be approved by any loyal Mexican, because it is not legitimate, and their emperor was elected by a small number of persons who met in the capital and determined upon his inauguration. This was called a meeting of *notables*, (and in fact they were all notable traitors to their country,) and was evidently illegal, for the states had not a single representative. Thus wrongfully established, this illegal government has given open evidence of instability, and the free children of Anáhuac will never permit a foreign despot, supported by bayonets, to control their destiny. But if the intervenors had allowed the Mexicans a free election, the government so constituted would have been considered legitimate, whereas it now wants every feature of legitimacy in its constitution.

Therefore, keeping in mind the sacred principles of the laws of nations, pertaining to a people who comprehend their duties and desire to shake off the yoke of tyranny, this assembly has resolved as follows:

1. The canton of Songolica disavows the government of Maximilian as illegal, because it has not been rightfully established.

2. It acknowledges as legitimate the government of citizen Benito Juarez, wherever he may be, because he was lawfully inaugurated President according to the provisions of our Mexican codes.

3. These resolutions, intending to defend our independence, acknowledge as chief, he who may be at the head of the national troops by legal appointment.

4. All urgent steps to be taken in our cause are left to the leader of the troops in this place, as he is rightfully entitled to authority.

Signed by Leandro Almador, Gumecindo Altamirano, Vicente Lebrija, Rafael Fuentes, Pedro Joaquin Cervantes, Teodoro Altamirano, Nicolas Tarvaleta, Pedro G. Telles, for the sergeants; Margareto Parrera and José Francisco Geria, for the corporals; Leandro Luna and Placido Gonzales, for the soldiers; José

Maria Alfaro and Manuel Contreras, Luis G. Fuentes, Ygnacio Guevora, Gregorio Parra, Estanislao Altominano, José G. Como, Rafael Mendez, Santiago Galicia, José Maria Luna, José M. Vallejo, José Anto. Cal, José M. Tello, Luis Garcia, Cristobal Rosales, Miguel Martinez, Manuel Garcia, Lorenzo Cano, and Francisco Luna.

Before me.

YGNACIO S. MENDIZAVAL, *Secretary.*

A true copy.

YGNACIO MENDIZAVAL,
Secretary of the Command.

LONGOLICA, *July 26, 1865.*

A true copy.

JOSÉ ANTONIO RUIZ, *Secretary.*

TLACOTALPAM, *August 2, 1865.*

A true copy.

IGNO. MARISCAL.

WASHINGTON, *October 25, 1865.*

[Enclosure No. 2.—Translation.]

THE MILITARY COMMAND OF THE DISTRICT OF JUCHITAN.

In the town of Juchitan, on the 27th of July, 1865, the town council, the people and the troops of Juchitan, and San Blas, of Tehuantepec, having assembled in the hall of sessions, under the presidency of the citizen political chief, to consider the affairs of the country; having stated the chief objects of the meeting, after a short discussion, the following resolutions were adopted:

Whereas Juchitan has always been one of the most loyal districts in defence of the republic and of liberal institutions, and has been abused by a few persons who wished to sell their country to a bold adventurer, announcing falsely that this district was disposed to acknowledge the perishing empire now established in the city of Mexico, and upheld only by French bayonets;

Believing it to be the duty of every Mexican who loves independence and his country, and the government established by the spontaneous and free will of the citizens, to banish every suspicion of treachery imputed to him by miserable enemies, and to contradict them solemnly; to show their determination to defend the autonomy of their country at every sacrifice; and holding it a sacred obligation of every good citizen to let his country know what his sentiments are in regard to it, the people of Juchitan, fulfilling this duty, declare:

1. That they have not nor will they ever recognize the imperial government established by French bayonets in Mexico, taking advantage of its weakness, and imposing upon the people against their free will, depending only on the feeble support a few spurious Mexicans can lend them.

2. That they will resist that government by all means in their power, and oppose all authorities and decrees emanating from it.

3. They respect and observe the authorities and decrees ordained by the constitution of 1854 and the reformed laws, as whatever tends to national independence and territorial integrity.

4. They solemnly protest against all that has been said about their acknowledging the empire, as it is absolutely false, for this part of the country has always considered that form of government as illegitimate and opposed to national sovereignty.

5. Copies of these proceedings shall be transmitted to the governor and military commander of the free and sovereign State of Oaxaca, that by him they may be remitted to the civil and military chief of the eastern coalition, as well as to other officers and military chiefs of the republic.

And so the meeting closed, with the following signatures to this document :

Signed by, Cosme D. Gomes, 1st lieutenant; Luis P. Municipal, Feliciano Torres, mayor; José de Jesus Nicolas, Anastacio Giron, Pantaleon Jimenez, Mariano Martinez, Rufino Pineda, Mariano Guerra, Pedro Esteban, Pedro Vicente, Feliciano Castillo, Dionisio Torres, Col. P. Gallegos, Apolonio Jimenes, Anastasio Castillo, Nazario de la Rosa, Augustin Gutierrez, Mariano Martinez, Albino Roblena, Miguel Varquez, Antonio Orozeo, Alexandro Lopez, Lieutenant R. Martinez, Manuel R. Ortiz, Gervacio Marin, Miguel Lopez, Regino Sanchez,

A certified copy.

GOMEZ.

JUCHITAN, *July 28, 1865.*

A true copy.

IGNO. MARISCAL.

WASHINGTON, *October 25, 1865.*

[Enclosure No. 3.—Translation.]

General order of the central army—Distribution of its forces.

The citizen general-in-chief of the army has disposed that the first division be organized in the following manner :

Its commander-in-chief is citizen Brigadier General Vicente Riva Palacio, and its second, citizen General Nicolas Regules.

The first brigade, under the command of citizen General Regules, second in command of the division, shall be composed of the first, second, third, and fourth battalions of Michoacan, second corps of lancers of the regular army, second lancers of Toluca, and third of Michoacan, (formerly Caballos lancers,) and the Solorio section, with a half mountain battery.

The second brigade shall be formed by the fifth, sixth, and seventh battalions of Michoacan, the first corps of Toluca lancers, third of the same, (formerly the Pachuca squadron,) with a section of mountain artillery, the whole commanded by citizen Colonel Pedro Garcia.

The third brigade, under command of citizen Colonel Ignacio Zepeda, shall be formed of the eighth Michoacan battalion, the seventh corps of permanent lancers, the corps of active Jalisco lancers, with a section of mountain artillery.

The fourth brigade, under command of citizen General Estevan V. Leon, shall be composed of the Zitacuaro forces, the Guerrero lance corps, commanded by Colonel Castillo, and the southern expeditionary section of Toluca, with a section of mountain artillery.

The fifth brigade, commanded by citizen Colonel Leonardo Valdez, shall be composed of the Nuñez battalion, and the first and second squadrons of the Huetamo loyals, with a section of mountain artillery.

The Garnica section shall be composed of the tenth Michoacan battalion, and the first corps of lancers of the same State, formerly called the liberty lancers.

The Ronda section shall be composed of the ninth Michoacan battalion, and the second lancers of the same State, formerly the Puruandiro lancers.

Citizen Colonel José Maria Mendez Olivares shall be major general of the division.

Citizen Lieutenant Colonel Luis Santa Maria Cruzado shall be adjutant of the first brigade; citizen Squadron Commander Lorenzo Contreras shall be adjutant of the second brigade; citizen Lieutenant Colonel Jose Maria Gomez Humaran shall be adjutant of the third brigade; citizen Lieutenant Colonel Carlos Castillo, of the fourth brigade; and citizen Squad Commander Jesus Barajas, of the fifth brigade.

Citizen Commander Fernando Gonzales shall be commissary of the first division; citizen Captain Miguel Alvarado, commissary of the first brigade; Trinidad Valdez, of the second; Simon Becerra of the third, and the fourth and fifth brigades shall retain their present purveyors.

By supreme command:

Major AGUIRRE.

Communicated.

F. G. AGUIRRE.

A true copy.

[Enclosure No. 4.—Translation.]

We, the undersigned, wounded in the battle of to-day, in this city, and accepting the offer of the commander-in-chief of the republican army of the centre to let us remain here on account of our condition, not being able to travel, and in accordance with the rules of war, promise upon our word of honor to remain here as prisoners of war to the said general-in-chief, and not to leave or take up arms against the forces of the republic, even when invaded or occupied by the enemy of that army.

The commander of the Belgian forces especially, who was in the place before the attack, binds himself by his word of honor, and the four soldiers attending him, to remain as prisoners under the same conditions as the other wounded Belgians who sign this protest with him and his attendants.

We also declare that we sign this protest without compulsion of any kind whatever, and only on account of the kindness of the commander-in-chief of the republican army of the centre, who respects the rights of humanity and the law of nations.

Done in Tacambaro on the 11th of April, 1865.

Signed by Major Teygad, Captain Schrimager, Lieutenant Carlot, soldiers; Pierre Schoos, Pierre Corthout, Delange, (sergeant,) Briart, Peters, Joseph Spenders, Frederick Frevens, Desmit, (musician,) Kaller, (corporal,) Ziffars, and many others.

A true copy.

TACAMBARO, May 24, 1865.

[Enclosure No. 5.—Translation.]

Protest made to General Salazar, at Zacambaro, the 10th of May, 1865, by Joseph Alfred Wanderbach, (sergeant,) Leopold Le Sueur, and Francois Ronchon, first regiment zouaves, and prisoners of war.

General Salazar, chief of the third division of the republican army, wishing us to be as comfortable as possible, being his prisoners, and thinking the town of Reyes would be a better place for us, has decreed as follows:

1st. That he has the best feelings for us, on account of the exchange proposed by Baron Neigre, commander of the French forces to which we belong, now in Morelia; that this exchange was delayed because they hoped to hear good news from commanders near our forces, and in case of captures there, it would be preferred to exchange them instead of others of more distant divisions.

2d. As General Salazar believes it will be better for us, he has had us brought to Reyes, requiring of us a protest, on word of honor, that when set at liberty we will consider ourselves as prisoners of war till exchanged. We make this protest in due form, binding ourselves not to violate it, but to regard it as a treaty made on our word of honor, to be confirmed by Baron Neigre, conformably to the laws of war.

3d. This protest shall be made duplicate, in French and Spanish, one copy to remain in General Salazar's hands, the other to be retained by us, the subscribers.

J. A. WANDERBACH,
Captain of Zouaves.
L. LE SUEUR.
RONCHON.

MILITARY COURT OF THE THIRD DIVISION.

The preceding protest was made before me, military judge of this division, and in the presence of the citizen secretary.

GUILLERMO SAMUDIO.

ROSENDO TAUREGUI, *Secretary.*

TACAMBARO, May 24, 1865.

A true copy :

J. MENDOZA, *Secretary.*

[Enclosure No. 6.—Translation.]

PROCLAMATION.

MEXICANS: You have longed for my presence. Your noble nation, by a universal vote, has elected me henceforth the guardian of your destinies. I gladly obey your will. Painful as it has been for me to bid farewell forever to my own, my native country, I have done so, being convinced that the Almighty has pointed out to me, through you, the great and noble duty of devoting all my might and heart to the care of a people who, at last tired of war and disastrous contests, sincerely wish for peace and prosperity—a people who, having gloriously obtained their independence, desire to reap the benefits of civilization and of true progress only to be attained through a stable constitutional government. The reliance that you place in me, and I in you, will be crowned by a brilliant triumph if we remain always steadfastly united in courageously defending those great principles which are the only true and lasting bases of modern government, those principles of inviolable and immutable justice, the equality of all men before the law; equal advantages to all in attaining positions of trust and honor, socially and politically; complete and well-defined personal liberty, consisting in protection to the individual and the protection of his property; encouragement to the national wealth, improvements in agriculture, mining, and manufactures; the establishment of new lines of communication for an extensive commerce; and lastly, the free development of intelligence in all that relates to public welfare. The blessing of God, and with it progress and liberty, will not surely be wanting if all parties, under the guidance of a strong national government, unite together to accomplish what I have just indicated, and if we continue to be animated by that religious sentiment which has made our beautiful country so prominent even in the most troublous periods.

The civilizing flag of France, raised to such a high position by her noble Emperor, to whom you owe the new birth of order and peace, represents those principles. Hear what, in sincere and disinterested words, the chief of his army

told you a few months since, being the messenger of a new era of happiness: "Every country which has wished for a great future has become great and powerful."

Following in this course, if we are united, loyal, and firm, God will grant us strength to reach that degree of prosperity which is the object of our ambition.

Mexicans! The future of your beautiful country is controlled by yourselves. Its future is yours. In all that relates to myself, I offer you a sincere will, a hearty loyalty, and a firm determination to respect the laws and to cause them to be respected by an undeviating and all-efficient authority.

My strength rests in God and in your loyal confidence. The banner of independence is my symbol; my motto you know already, "Equal justice to all." I will be faithful to this trust through all my life. It is my duty conscientiously to wield the sceptre of authority, and with firmness the sword of honor.

To the Empress is confided the sacred trust of devoting to the country all the noble sentiments of Christian virtue and all the teachings of a tender mother.

Let us unite to reach the goal of our common desires; let us forget past sorrows; let us lay aside party hatreds, and the bright morning of peace and of well-deserved happiness will dawn gloriously on our new empire.

MAXIMILIAN.

VERA CRUZ, *May 28, 1864.*

[Enclosure No. 7.—Translation.]

MY DEAR MINISTER VELASQUEZ DE LEON: On returning from my laborious journey into the department of the interior, during which I have received in every city, town and village, the sincerest proofs of sympathy and the most cordial enthusiasm, I have derived two important truths. The first is, that the empire is a fact firmly based upon the firm will of the immense majority of the nation, and that in it there is depicted a form of government of real progress, and one that suits best the wants of the people. The second is, that this immense majority is desirous of peace, tranquillity and justice—blessings that it expects and anxiously asks of my government, and which I, keeping in view my sacred duties to God and the people who have chosen me, am resolved to give them.

Justice will have for its foundation institutions suitable to the epoch, and in which I am laboring with unceasing zeal. To re-establish peace and tranquillity through all this fine extensive country, and to promote with speed its prodigious riches, my government is determined to employ all its efforts and energy. If until now it has shown forbearance to its political adversaries, to allow them time to know the national will and unite themselves to it, henceforth it is under the imperious obligation to combat them, for their banner no longer bears a political creed, but is only a pretext for robbery and slaughter. My duties of sovereign oblige me to protect the people with an arm of iron; and in order to correspond to the wishes loudly expressed from all parts, we declare, as head of the nation, with a full consciousness of our sacred mission and of the duty imposed upon us, that all the gangs of armed men who still infest some parts of our beautiful country, desolating it, disturbing and threatening the hard-working citizen in his labor and liberty, must be considered as bands of banditti, and fall, in consequence, under the inflexible and inexorable severity of the law. We therefore, command all functionaries, magistrates and military commanders of the nation to pursue and destroy them with all their power. If our government respects every political opinion, it cannot tolerate criminals who break the first of liberties which it is called upon to protect—that of the person and that of property.

Given at the palace of Mexico, the 3d of November, 1864.

MAXIMILIAN.

[Enclosure No. 8.—Translation.]

PROCLAMATION.

MEXICANS : The cause which Don Benito Juarez upheld with so much valor and constancy succumbed some time since, not only to the national will, but to the very law which that leader invoked in support of his claims; and to-day even the bandits, into which the partisans of the cause have degenerated, have been abandoned by the departure of their chief from his native soil. The national government was for a long time indulgent, extending clemency so far as to give those misguided men who were ignorant of the facts an opportunity to join the great majority of the nation, and once more pursue the path of duty. In this the government was successful, and honorable men ranged themselves under its banner with confidence in the just and liberal principles by which its policy is shaped. The cause of disorder was sustained only by a few leaders, whose passions stifled their patriotism; by the most demoralized of the lower classes, too ignorant to comprehend political principles, and by a lawless soldiery, such as always remains the last sad vestige of civil war.

From henceforth the contest will be solely between the respectable men of the nation and bands of criminals and highwaymen. There can be no more leniency, as it will benefit only bands of men who burn villages and rob and assassinate peaceful citizens, decrepit old men, and defenceless women.

The government, strong in its power, will from this day forth administer punishment inflexibly, as called for by the laws of civilization, the rights of humanity, and the requirements of morality.

MAXIMILIAN.

MEXICO, *October 2, 1865.*

[Enclosure No. 9.—Translation.]

DECREE.

We, Maximiliano, Emperor of Mexico, by the advice of our Council of Ministers, and of our Council of State, do decree as follows :

ARTICLE 1. All persons belonging to armed bands or societies not legally authorized, whether of a political nature or not, whatever be the number of those forming the band, or its organization, character, or denomination, shall be tried by a court-martial, and, if found guilty, if only of the act of belonging to such a band, they shall be condemned to capital punishment, which shall be executed within the twenty-four hours next ensuing after the declaration of the sentence.

ARTICLE 2. Persons belonging to the bands described in the foregoing article, when caught using arms, shall be tried by the commandant of the force making the capture, who, within twenty-four hours after such apprehension, shall cause the offence to be verbally investigated, hearing the offender in his own defence. A record of such investigation shall be written down, terminating with the sentence, which shall be to capital punishment should the offender be found guilty if even solely of the fact of belonging to the band. The commanding officer shall cause the sentence to be executed within twenty-four hours, allowing the culprit to receive spiritual consolation; and after execution of the sentence the said officer will forward a record of the proceedings to the minister of war.

ARTICLE 3. Exemption from the penalty decreed in the foregoing articles shall be allowed solely to such persons as may be able to show that they were forcibly kept with the band, or that they met with it accidentally.

ARTICLE 4. If, upon holding an investigation, as prescribed by article 2, evidence should appear tending to the presumption that the prisoner had been forcibly kept with the band, without having committed any offence, or that, without belonging to such a band, he had accidentally fallen in with it, then in such case the commanding officer shall not pronounce sentence, but forward the presumed offender, together with a written statement of the proceedings, to the proper court-martial, in order that the latter may try the case in accordance with article 1.

ARTICLE 5. The following persons shall be tried and sentenced conformably to article 1 of this decree: 1. All who voluntarily assist guerillas with money, or give them any other species of material aid. 2. Those who may give them information, news, or advice. 3. Those who voluntarily transfer or sell to guerillas, knowing them to be guerillas, arms, horses, ammunition, provisions, or any other articles useful in warfare.

ARTICLE 6. The following persons shall also be tried in accordance with article 1, viz: 1. Those who maintain relations with guerillas indicating connivance with them. 2. Those who voluntarily or knowingly conceal guerillas in their houses or buildings. 3. Those who circulate orally or in writing false or alarming reports tending to disturb the public peace, and such as make any demonstration against the same. 4. All proprietors or administrators of country estates who neglect to give the authorities immediate information of the passage of any band through their property. The offenders mentioned in sections 1 and 2 of this article shall be punished by imprisonment of from six months to two years' duration, or with from one to three months' confinement with hard labor, according to the gravity of the offence. Any person alluded to in section 2, who may be a parent, child, husband, wife, brother, or sister of the party concealed shall not suffer the penalty above prescribed, but shall remain under the surveillance of the authorities during such a period as the court-martial may direct. All included in section 3 of this article shall be punished by the imposition of a fine of from \$25 to \$1,000, or imprisonment of from one to twelve months, according to the gravity of the offence. Those included in section 4 of this article shall be punished by the imposition of a fine of from \$200 to \$2,000.

ARTICLE 7. The local authorities in villages who fail to give immediate notice to their superior authorities of the passage of any armed body of men through their limits, shall be punished gubernatorially by the said superior authorities, by the imposition of a fine of from \$200 to \$2,000, or with imprisonment from three months up to two years in duration.

ARTICLE 8. Any resident of a village or town who, after learning of the approach or transit of an armed body of men through the district, shall fail to notify the authorities of the same, shall be subjected to the payment of a fine varying from \$5 to \$500.

ARTICLE 9. All the male inhabitants of any town between the ages of eighteen and fifty-five, and free from physical disability, are required, in the event of the town being threatened by any hostile band, to come forward for its defence immediately upon being called upon; and should they refuse to act, they shall be punished by a fine of from \$5 to \$200, or by from fifteen days' to four months' imprisonment. Should the authorities deem it more advisable to punish the town for not having defended itself, a fine of from \$200 to \$2,000 may be imposed, and the same shall be paid jointly by those refusing to come forward for the defence of the place, as provided by this article.

ARTICLE 10. All proprietors or administrators of landed property who, although able to defend themselves, shall take no steps to prevent the invasion

of guerillas or other outlaws, or who shall fail to notify the nearest military post without delay of such occupation, or who shall receive worn-out or wounded horses belonging to lawless bands upon their property, without informing the said authorities, shall be punished by a fine of from \$100 to \$2,000, according to the gravity of the offence; and if of sufficient gravity, they may be consigned to prison and handed over to the proper court-martial, to be tried in accordance with this law. The fine shall be paid by the offender to the revenue officer for the district wherein the property may be situated. The first provision of this article shall apply to villages.

ARTICLE 11. Any official, whether political, military, or municipal, who shall fail to proceed conformably to the provisions of this law against parties who may be charged with the offences mentioned, or against those suspected of having committed the same, shall be punished gubernatorially by a fine of from \$50 to \$1,000; and should it appear that such neglect arose from complicity with the delinquents, the said official shall, by order of the government, be handed over to a court-martial, in order that he may be duly tried and a penalty decreed suitable to the gravity of the offence.

ARTICLE 12. Robbers shall be tried and sentenced in accordance with Article 1 of this decree, whatever may be the manner and circumstances of the robbery.

ARTICLE 13. The sentences of death rendered for the crimes described in this decree shall be executed within the periods stated, and no petitions for pardon will be received. When a sentence other than capital is rendered against a foreigner, after record has been made of the sentence, the government may use its privilege to expel all dangerous foreigners from the national territory.

ARTICLE 14. Full amnesty will be granted to all who have belonged or do now belong to armed bands, if they present themselves to the authorities before the 15th of November next: provided always that they have committed no other offence, reckoning from the date of the present decree. The authorities will take possession of the arms of such as present themselves for amnesty.

ARTICLE 15. The government reserves the right to declare when the provisions of this decree shall cease.

Our ministers are intrusted with the execution of this decree as far as each is concerned, and they will issue the necessary orders for its strict observance.

Given at the palace of Mexico on the 3d day of October, 1865.

MAXIMILIAN.

[Enclosure No. 10.—Translation.]

ADDRESS.

MEXICANS: We celebrate to-day the memory of a man born in obscurity, from the lowest ranks of the people, and who occupies now one of the highest and most illustrious places in the glorious history of our country. A representative of the mixed races, to whom man's false pride, outraging the sublime precepts of our gospel, refused to grant what is due to them, he has written his name in golden letters on the pages of immortality. How has he done it? With two qualities which are the virtues of a true citizen: the patriotism and courage of an indomitable conviction.

He wanted the independence of his country; he wanted it with the consciousness of the justice of his cause; and God, who helps always those who have faith in their mission, had gifted him with the peculiar qualities of a great leader. We have seen the humble son of the people triumph on the battlefield; we saw him, a poor curate, govern the provinces under his command in the difficult moments of their painful regeneration; we saw him die in shedding blood like a martyr to freedom and independence; but this man will live forever, for the triumph of his principles is the basis of our nationality.

As a free and democratic country, Mexico has the happiness to show the history of its regeneration and freedom represented by heroes belonging to all classes of human society, of all the races who form now an indivisible nation.

This happiness constitutes its futurity. Every one of them has worked with the same patriotic zeal for the good of the country. All of them have the same rights of enjoying the benefits of their arduous task, and thus to proclaim equality, which is the only and true basis of a nation which respects itself.

Let the movement which we inaugurate to-day for Morello's one hundredth anniversary be a stimulant to new generations, so that they learn from the great citizen the qualities which make the invincible strength of our nation.

True copy :

IGN'O MARISCAL.

WASHINGTON, *October 25, 1865.*

Mr. Corwin to Mr. Seward.

[Extracts.]

No. 14.]

LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, October 28, 1865.

SIR : I have to acknowledge the receipt of your despatches Nos. 105 and 106, dated, respectively, September 14 and 30. They were both received by me yesterday morning.

In my despatch No. 13, of September 10, I informed you that M. F. Maury, formerly of Washington, would probably be appointed by Maximilian, "imperial commissioner of immigration." Since that time he has received this appointment, become a naturalized Mexican citizen, and been named honorary Counselor of state. J. B. Magruder, formerly an officer in the regular army of the United States, and lately a general in the confederate army, has also become a Mexican citizen, and been charged with the supervision of the survey of lands for colonization. Their scheme for bringing planters from the United States to Mexico promises even thus early to prove an almost complete failure. I mention these gentlemen on account of the prominent positions which one of them, at least, has held under the United States government.

* * * * *

On the 13th of this month Colonel Ramon Mendez, with four hundred infantry and three hundred cavalry soldiers, overtook and defeated, at Santa Ana Amatlan, the liberal forces, amounting to one thousand men, mostly infantry, under the command of General Salazar. The imperialists took prisoner Arteaga, general-in-chief of the army of the centre; Salazar, the general commanding and governor of the department; four colonels, five lieutenant colonels, eight captains, and many other subaltern officers. They also captured four hundred of the troop, the armament, horses and park.

It has been reported here for the last three days, and generally believed, that on the 21st instant Generals Arteaga and Salazar and the four colonels were shot in Uruapan. No official account of the disposition made of them has been published.

* * * * *

The second of this month, Maximilian issued an address to the Mexican people, which he begins by saying: "The cause which Don Benito Juarez sustained with so much valor and constancy has now fallen, not only by the national will, but before the law itself, which this chief invoked in aid of his titles. To-day even the little band into which said cause degenerated is abandoned by the departure of its chief from his native country." He then goes on to say that the national government for a long time has been indulgent and prodigal of its clemency, in order to allow those who had been misled, who did not know

the facts, to unite themselves to the majority of the nation, and place themselves again in the path of duty; but that this indulgence now ceases, as those alone who burn towns and who rob and assassinate peaceable citizens, miserable old men, and defenceless women, would profit by it.

In accordance with the idea contained in the above-mentioned address, on the 3d instant a decree was published, the first article of which declares, that all those who may belong to armed bands which may not be legally authorized, whether they proclaim or not any political pretext, and whatever may be the number of those who form the band, their organization and the character and denomination which they may give themselves, shall be judged by courts-martial, and if found guilty, although it may be only of the fact of belonging to the band, shall be condemned to capital punishment and executed within twenty-four hours. Other articles provide for the punishment of those who may have corresponded with, secreted, or in any way aided those mentioned in article first; but I refer particularly to article first, as it shows that all those belonging to the armies fighting for the republican government will be shot if taken prisoners by the imperial troops. Article fourteenth grants an amnesty to all those who may have belonged, or who may now belong to such armed bands, if they present themselves to the authorities before the fifteenth of next month.

* * * * *

Some time next month, probably on the 5th, the Emperor will leave this city to visit Yucatan; the Empress will accompany him as far as Jalapa.

Your obedient servant,

WM. H. CORWIN.

Hon. WM. H. SEWARD,

Secretary of State of the United States, Washington.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,

New York, November 20, 1865.

MR. SECRETARY: In my note of the 25th October last I sent you a copy of a decree dated 3d October, issued by the usurper who pretends to be the ruler of Mexico, authorized by his signature and those of his accomplices, members of his cabinet, in which all Mexicans defending the independence of their country, and even those who conceal or aid the patriots in any way, are ordered to be shot without trial or judgment of any kind.

This barbarous and bloody decree, the most cruel ever yet seen, has already begun to be executed. It is now my painful duty to inform you that on the 13th of October last the Generals Arteaga and Salazar, and Coronels Diaz Paracho, Villa Gomez, Perez Milicua, and Villanos, five lieutenant coronels, eight commandants, and a number of subordinate officers, were surprised and taken prisoners by the French forces in the town of Santa Ana Amatlan, State of Michoacan, as appears from the official despatch sent to the usurper, of which I enclose a copy in French.

These generals and coronels belonged to the regular army of the republic, were officers of education and profession, and had fought for the independence of their country from the time the French first landed in Mexico.

General Arteaga had reached the highest rank in the Mexican army, and had recently succeeded ex-General Uruga in command in the army of the centre. He was thoroughly loyal, a patriot without blemish, and enjoyed a high reputation of honesty and probity among his fellow countrymen of all political shades. His constancy and suffering in the campaign against the French, Austrian and Belgian invaders in the State of Michoacan, for the last two years, would suf-

fice to give him a great reputation, if he had not already possessed one. His humanity was proverbial, as the French, Belgian, and Austrian soldiers who were taken prisoners by his forces at different times can testify.

The other chiefs and officers who were made prisoners with General Arteaga, though they had not arrived at the high position of their leader, were not less respectable and worthy.

These distinguished Mexicans were executed in accordance with the above-mentioned bloody decree of the usurper of Mexico. I have information, of the truth of which, unhappily, there is no doubt, that the two generals and four colonels were barbarously sacrificed in flagrant violation of the laws of war, and every principle of justice. But the consequences of these sanguinary murders must finally be favorable to the cause of Mexican nationality; for such acts of barbarism will not be tolerated by the Mexican people, who will punish the invaders and their instrument, so openly violating all the customs of nations and every principle of justice.

In communicating to you the news of these unpleasant events, I embrace the occasion to renew the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WILLIAM H. SEWARD, &c., &c., &c., *Washington, D. C.*

[Enclosure No. 1.—Translation.]

From the "Estafette," a French paper published in the city of Mexico, of the 31st October, 1865.

Colonel Mendez made the following report to the War Department of his expedition against the disaffected of Michoacan:

On the 6th I left Morelia with the imperial battalion and two squadrons of the 4th regiment of cavalry, commanded by Colonel Wenceslaus Santa Cruz, and took the road to Patzcuaro, where I arrived on the 7th. The rest of my brigade joined me in the night, and on the 8th I started for Uruapan, where all the forces of the enemy, under Arteaga, were assembled.

I arrived in sight of Uruapan at 3 o'clock on the 9th, but a severe storm prevented me from entering the town. The streams had risen so high, my forces were separated into three sections. I could not cross the torrents till midnight. The enemy had several divisions. One of 700 men, under Ronda and Riva Palacio, started towards Paracho; another, of 600 men, under Zepeda, Martinez, and Simon Gutierrez, took the direction of Los Reyes; and the rest of the forces were commanded by Arteaga and his subordinates, Salazar and Diaz Paracho. He had many officers following his headquarters, and forces to the number of ten or twelve hundred men. This column marched towards Tancitaro.

On the 10th I rested awhile, intending to pursue Arteaga. It is useless to inform you that I flanked the enemy, instead of fronting them, so as to threaten both detachments and deceive Arteaga, who was my main object.

On the 12th I left San Juan and reached Tancitaro, where the enemy was posted. He left, and I pursued with my guerillas for three leagues. I was sure of overtaking him and whipping him before night, but that would not secure the leaders, so I made a halt at Tancitaro.

At 2 o'clock this morning I took 400 infantry with 300 cavalry and started for Santa Ana Amatlan, where I would wait for Arteaga and defeat him. In fact, the enemy could not believe it possible for me to march twelve leagues a day in such hot weather. It did cost me fourteen men, and most of the horses of the 4th regiment are foundered; but I attained my end; the enemy is completely routed.

Among my prisoners is the commander-in-chief, *Arteaga*, General Salazar, Colonel Diaz Paracho, Villa Gomez, Perez Milicua, and Villanos, five lieutenant colonels, eight commanders, and a large number of subordinate officers, a list of whose names I will send you. All the supplies, munitions of war and horses, mostly useless, have fallen into our hands. We have 400 prisoners, most of whom I will release, as they were enlisted by force along the line of march.

The government alone can appreciate this victory. I must make honorable mention of Lieutenant Rangel, of the 4th cavalry, whom I promised, in his Majesty's name, to promote to a captaincy, and for whom I solicit the cross of knight of the order of Guadalupe. This brave officer entered the city at the head of twenty men, and we are much indebted to him for the victory. Second Lieutenant Navia, of the imperial battalion, with only eight men, followed Rangel. I have made him no promises, because he belongs to my battalion. In due time I will make a proper report of the gallant conduct of these two officers, that the worthy may wear upon their breasts an honorable signal of their bravery, serving to encourage their companions.

I congratulate your excellency, and beg you to inform my august sovereign of this memorable day. God grant you many years.

RAMON MENDEZ, *Colonel.*

This achievement, one of the most glorious of the campaign, does the greatest honor to Colonel Mendez, and simplifies the task of pacificating Michoacan. *Arteaga*, without being a skilful general, is an honest and sincere man, who has distinguished himself more than once in his career by traits of humanity. Justice to the conquered.

CH. DE BARRES.

Mr. Seward to Mr. Bigelow.

No. 297.]

DEPARTMENT OF STATE,
Washington, November 3, 1865.

SIR: I am directed by the President to request you to ask the serious attention of the French government to the military proceedings in Mexico, by which native Mexicans taken captive while adhering in war to their own republican government are denied rights which the law of nations invariably accords to prisoners of war.

I am, sir, your obedient servant,

W. H. SEWARD.

Mr. Seward to Mr. Bigelow.

No. 320.]

DEPARTMENT OF STATE,
Washington, November 28, 1865.

SIR: With reference to my despatch of the 30th instant, No. 297, it is now my painful duty to acquaint you that information has been received from the minister of the republican government of Mexico accredited to this government to the effect that the sanguinary policy referred to in the above named despatch has actually been inaugurated by the execution of several distinguished officers of the liberal forces who had been surprised and captured by the imperialist forces in the town of Santa Ana Amatlan, namely, Generals *Arteaga* and *Salazar*, and Colonels *Diaz Paracho*, *Villa Gomez*, *Perez Milicua* and *Villanos*, five Lieutenant colonels, eight commanders, and a number of subordinate officers.

It devolves upon me to instruct you again to call the serious attention of the imperial government to this subject, and to inform Mr. Drouyn de l'Huys that

these reports have been received with the most profound concern by the government of the United States. If upon investigation they should prove, as there is too strong ground for believing, that they are well founded, we cannot suffer ourselves to doubt that, so far as the government of France is concerned, it can never countenance proceedings which are so repugnant to the sentiments of modern civilization and the instincts of humanity.

I am, sir, your obedient servant,

W. H. SEWARD.

JOHN BIGELOW, Esq., &c.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 209.]

LEGATION OF THE UNITED STATES.

Paris, November 30, 1865.

SIR: * * * * *

He (Mr. Drouyn de l'Huys) here referred to the representation I had made in regard to the shooting of the Mexican prisoners taken in war, and also to the case of Madame de Yturbe. Why, he said, do you not go to President Juarez? We are not the government of Mexico, and you do us too much honor to treat us as such. We had to go to Mexico with an army to secure certain important interests, but we are not responsible for Maximilian or his government. He is accountable to you, as to any other government if he violated its rights, and you have the same remedies there that we had.

* * * * *

I have the honor to be, sir, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,

Secretary of State.

Mr. Seward to Mr. Romero

DEPARTMENT OF STATE,

Washington, December 10, 1864.

SIR: I have had the honor to receive your communication of the 25th of October last, and the ten enclosures which accompanied the same, which you communicated for the information of the government of the United States.

You are pleased to call my particular attention to the most significant of these documents, namely, to a proclamation dated October 2, 1865, and to a decree of the 3d of the same month, issued by the so-called Emperor of Mexico, in the latter of which the penalty of death is to be imposed upon all Mexicans who are in arms against his authority in that republic.

In reply, I have the honor to inform you that your despatch and its accompaniments, for which you will accept my thanks, have received the consideration to which they are justly entitled from this government.

You will accept, sir, the assurances of my renewed and very distinguished consideration.

W. H. SEWARD.

Señor MATIAS ROMERO, &c., &c., &c.,
Washington, D. C.